IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

FRIDAY, THE TWENTY EIGHTH DAY OF JULY
TWO THOUSAND AND SIX

PRESENT

THE HON'BLE SRI JUSTICE B.PRAKASH RAO

and

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

Writ Petition No.15680 of 2006

Between:

M.Uppalaiah

..... PETITIONER

AND

1 The Municipal Commissioner,
Khammam Municipality,
Khammam, and 4 others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE B.PRAKASH RAO

and

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

Writ Petition No.15680 of 2006

ORDER: ***(Per Hon'ble Sri Justice B.Prakash Rao)***

In this Writ Petition, the petitioner is

aggrieved by the docket order dated 17-07-2006 passed by the Andhra Pradesh Administrative Tribunal, Hyderabad, in O.A.No.3719 of 2006, in not granting the interim direction pending disposal of the main OA. Having regard to the facts that the counter was filed, the matter was ready for hearing, and the petitioner has retired from service in the last week of May, 2006, no interim direction was granted by the Tribunal.

The main grievance of the petitioner is that since the question involved is squarely covered by a judgment of the Apex Court in ***P.V.Mahadevan vs. M.D.Tamil Nadu Housing Board***[1], the matter could have been taken up and interim direction could have been granted.

Heard learned Counsel for the petitioner.

The petitioner can as well move appropriate application before the Tribunal itself seeking fixation of pensionary benefits, and to hear the OA expeditiously. We do not find any merits in the

Writ Petition.

The Writ Petition is, accordingly, dismissed. No costs.

(B.Prakash Rao, J)

28th July, 2006

(Ramesh Ranganathan, J)

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[1] **SLR 2005(5) page 384**